1	PHILLIP A. TALBERT United States Attorney		
2	KIMBERLY A. SANCHEZ Assistant United States Attorney 2500 Tulare Street, Suite 4401 Fresno, CA 93721		
3			
4	Telephone: (559) 497-4000 Facsimile: (559) 497-4099		
5	1 desimile. (337) 477 4077		
6	Attorneys for Plaintiff United States of America		
7	Officed States of Afficient		
8	IN THE UNITED ST	TATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA		
10			
11	UNITED STATES OF AMERICA,	CASE NO. 1:22-CR-00306-JLT-SKO	
12	Plaintiff,	STIPULATION REGARDING EXCLUDABLE TIME PERIODS UNDER SPEEDY TRIAL ACT;	
13	v.	ORDER ORDER	
14	DALE WESLEY HUBBARD, CURRENT DATE: December 11, 2023		
15	Defendants.	TIME: 10:00 a.m. COURT: Hon. Jennifer L. Thurston	
16			
17	STIPULATION		
18	Plaintiff United States of America, by and through its counsel of record, and defendant, by and		
19	through their counsel of record, hereby stipulate as follows:		
20	1. By previous order, this matter was set for a change of plea on December 11, 2023.		
21	2. By this stipulation, defendant now moves to vacate the status conference and set a chang		
22	of plea hearing for February 20, 2024 before the Honorable Jennifer L. Thurston, and to exclude time		
23	between December 11, 2023, and February 20, 2024, pursuant to 18 U.S.C.§ 3161(h)(7)(A), B(iv).		
24	3. The parties agree and stipulate, an	nd request that the Court find the following:	
25	a) The government asserts th	e discovery associated with this case includes reports,	
26	photographs, and recordings; initial discovery has been provided to defense counsel and the		
27	government anticipates significant additional discovery will be produced. The government is		
28	aware of its ongoing discovery obligation	is.	

- b) Counsel for defendant desires time to finalize plea discussions with his client and has accounted for scheduling conflicts to reach the proposed date. The parties need additional time to come to an agreement on certain details of a potential plea agreement.
- c) Counsel for defendant believes that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
 - d) The government does not object to the continuance.
- Based on the above-stated findings, the ends of justice served by continuing the e) case as requested outweigh the interest of the public and the defendants in a trial within the original date prescribed by the Speedy Trial Act.
- f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of December 11, 2023 to February 20, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C.§ 3161(h)(7)(A), B(iv), because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

[Remainder of page intentionally left blank.]

26

27

28

Case 1:22-cr-00306-JLT-SKO Document 61 Filed 12/07/23 Page 3 of 3

1	4. Nothing in this stipulation and order shall preclude a finding that other provisions of the	
2	Speedy Trial Act dictate that additional time	periods are excludable from the period within which a trial
3	must commence.	
4		
5	IT IS SO STIPULATED.	
6		
7	Dated: December 6, 2023	PHILLIP A. TALBERT United States Attorney
8		/s/ KIMBERLY A. SANCHEZ
9		KIMBERLY A. SANCHEZ Assistant United States Attorney
10	D . 1 D . 1 . 6 2022	
11	Dated: December 6, 2023	/s/ KEVIN P. ROONEY
12		KEVIN P. ROONEY Counsel for Defendant
13		DALE WESLEY HUBBARD
14		
15		
16		
17	FIND	INGS AND ORDER
18		
19	IT IS SO FOUND. IT IS SO ORDERED. Dated: December 7, 2023	
20		Ocanilla I Thursdon
21		UNITED STATES DISTRICT JUDGE
22		
23		
24		
25		
26		
27		
28		